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POLSINELLI SHUGHART PC
700 W. 47TH STREET
SUITE 1000
KANSAS CITY, MO 64112-1802

EXAMINER
CHOW, CHIH CHING

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/598,629	EDWARDS ET AL.
	Examiner	Art Unit
	CHIH-CHING CHOW	2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 September 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-10 and 12-17</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-10, 12-17</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>06 September 2006</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>01/29/08</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the application filed on September 6, 2006.

2.   The priority date considered for this application is March 10, 2004, which is
the filing date of the provisional application no. 60/551636.

3.   Claims 1-10, 12-17 have been examined.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject
> matter which the applicant regards as his invention.

5.   Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being
indefinite for failing to particularly point out and distinctly claim the subject matter
which applicant regards as the invention. Claim 1 recites "A method of exchanging
data between software components on a portable device, comprising: loading a
first software component using the portable device; retrieving data from a service
provider for the first software component, <u>at least a portion of the retrieved data
being common to a second software component</u>; initiating <u>a call </u>by the first
software component to load the second software component; loading the second
software component; and exchanging data between the second software component
and the first software component." Wherein the "at least a portion of the retrieved
data being <u>common to</u> a second software component" is not clear to the Examiner,
the related description is in paragraph [0070] of the published version, "The
common database typically contains account information and the data <u>common to
more than one software component</u> including preferences that will be set by the
launcher or user, such as default city, state, zip." The Examiner assumes the claim
actually means the retrieved data for the first software component is going to be

shared by the second software component, such as default city, state, zip. Also, the 'initiating a call by the first software component to load the second software component' part is not clear to the Examiner, according to the description in paragraph [0061], "At some point during operation of the first software component, an application (e.g., the first software component itself) on the wireless device 120 may initiate a call to load a second software component. As an example, a user viewing an address in a 411 plugin/channel (a first software component) may select "MapIt" for a mapping/driving direction plugin/channel (a second software component)" – the example in FIG.10 indicates the 411 channel/plugin information has been forwarded to the mapping/driving direction channel/plugin, the first software component does not initiate a call to load the second software component until a user selected 'MapIt', this important step has been eliminated in the claim language; actually the call does not have to be initiated from the first component, it can be initiated from a control program, which is responsible for displaying the 411 plugin/channel information, and prompt the options to the user, such as 'MapIt', 'AddIt', 'DialIt', 'DirectIt' etc., then the control program 'calls' the appropriate function (second software component) in response to the user's selection.

6.   Claims 2-17 depend on claim 1, they are rejected under 35 USC § 112 (2) for the same reason.

7.   Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 6 recites "The method of claim 1, further comprising: displaying a list of software components that utilize common data retrieved from the service provider for the first software component." Wherein

the "a list of software components that utilize common data retrieved from the service provider for the first software component" is not clear to the Examiner, the related description is in paragraph [0065] of the published version, "This allows the user to view the content in the plugin/channel and return to **the plugin/channel list in the launcher**. In other words, the launcher presents the plugins/channels buttons, then when clicked, the plugin/channel is launched, when the plugin/channel is closed, the user returns to a default plugin/channel or **list of plugins/channels**." – the Examiner assumes the claim meant a list of 'plugin/channel' that utilize common data retrieved from the service provider.

8.   Claim 7 depends on claim 6, it is rejected under 35 USC § 112 (2) for the same reason.

Claim Rejections - 35 USC § 102

9.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10.   Claims 1-10, 12-14, 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,446,111 B1, by Lowery, hereinafter "Lowery".

As per claim 1, Lowery discloses:

- *A method of exchanging data between software components on a portable device, comprising: loading a first software component using the portable device;* Lowery teaches exchanging data between software components on a portable device, see Lowery's column 1, lines 48-52, "The personal digital assistants that

have appeared are common examples of **handheld** and credit-card-size computers.
(handheld, portable device) The small size and easy portability of the handheld and
credit-card-size computers has limited the amount of physical memory and
secondary storage that may be included in these devices." Also see Lowery's
column 3, line 59, "handheld computers known as personal digital assistants
(PDAs)." Further see column 5, lines 34-38, "When the web browser encounters
web content requiring a plug-in that the web browser has never before
encountered, the needed plug-in is typically **downloaded to the client from the**
server and added to the web browser on the client." – loading a first software
component using the portable device.

- *retrieving data from a service provider for the first software component, at*
least a portion of the retrieved data being common to a second software
component;

See Lowery's FIG. 2, and description in column 5, from line 1 to line 42.

- *initiating a call by the first software component to load the second software*
component;

See Lowery's column 5, lines 35-41, "When the web browser encounters web
content requiring a plug-in that the web browser has never before encountered, the
needed plug-in is typically downloaded to the client from the server and added to
the web browser on the client. In the future, when the client encounters web pages
that include content that needs the newly added plug-in in order to be viewed, the
web browser will be able to utilize the plug-ins' added functionality" – the web
browser will call another plug-in *(second software component)* to fulfill the second
functionality.

- loading the second software component; and exchanging data between the second software component and the first software component.

See Lowery's FIG. 2, the data can be exchanged based on different needs; also see description in column 15, lines 47-52, "The applet 26 may also be generated with the data items 28 represented as both pre-loaded elements 36 and **updateable elements** 38. Based on the request from the client 12 and the data items 28 collected in response to the request, the web server application 20 may dynamically determine whether or not the applet 26 should have updateable information in the form of the updateable elements 38." Further column 16, lines 15-19, "The **use of both pre-loaded elements 36 and updateable elements 38** also allows the client 12 to avoid resending duplicate data over the communications link 16 by updating only individual updateable elements 38 as needed."

As per claim 2, Lowery discloses:

- The method of claim 1, wherein at least a portion of the retrieved data is not common to the second software component.

The rejection of claim 1 is incorporated; Lowery's teaching allows to generate new data (updateable element) and/or use preloaded data, see claim 1 rejection.

As per claim 3, Lowery discloses:

- The method of claim 1, further comprising: retrieving supplemental data from the service provider for the second software component.

The rejection of claim 1 is incorporated; further see Lowery's Abstract, "column 2, lines 41-45, "The system also comprises an executable applet **dynamically**

generated by the server *(service provider)* **in response to the request**, a constituent system associated with the applet comprising a subset of the data items, each data item in the subset used as a pre-loaded value in the applet." Further see column 16, lines 27-43, "The method proceeds to a decisional step 58 when the operator of the client 12 has indicated that the applet 26 **requires new or updated data** which may **require updating the updateable elements or may require an entirely new applet to be generated** as shown in the following steps. … A check is performed by the applet 26 based on the request of the client 12. If the new or updated data requested by the client 12 has been previously represented by updateable elements 38 then the YES branch of decisional step 58 is followed. If the YES branch of decisional step 58 is followed, the method proceeds to step 60 where the loader 34 updates the respective updateable elements 38 that **require updating with further data items sent by the web server application** (*service provider*)."

As per claim 4, Lowery discloses:

- *The method of claim 1, wherein at least a portion of the retrieved data is not common to the second software component.*

The rejection of claim 1 is incorporated; Lowery's teaching allows to generate new data or use preloaded data, see claim 1 rejection.

As per claim 5, Lowery discloses:

- *The method of claim 1, wherein the portable device comprises a wireless device.*

The rejection of claim 1 is incorporated; Lowery's teaching is for a wireless device, see column 13, lines 23-26, "The PalmPilot is **a PDA and typically uses a low-speed wireless communications link** for communication with the server, as well as having limited storage and limited processing capabilities".

As per claim 6, Lowery discloses:

 - *The method of claim 1, further comprising: displaying a list of software components that utilize common data retrieved from the service provider for the first software component.*

The rejection of claim 1 is incorporated; further see Lowery's column 5, lines 22-32, "Plug-ins are typically external modules or add-on programs run on the client which are used to provide various abilities, such as dynamic capabilities, to web pages. Plug-ins are typically attached or added to the web browser on the client and stored on the client so that the client may process and **display the dynamic web page after the web page has been retrieved by the client.** (*utilize common data*) An example of a plug-in may comprise the Shockwave plug-in from Macromedia. In particular, Shockwave, when installed on a client, **allows the viewing on the client of multimedia files** *(list of components, or plug-ins)* and multimedia effects which are embedded as part of the web page."

As per claim 7, Lowery discloses:

 - *The method of claim 6, further comprising: selecting the second software component from the list.*

The rejection of claim 6 is incorporated; see claim 6 rejection, the user is allowed to select a plug-in from the list.

As per claim 8, Lowery discloses:

- *The method of claim 1, comprising: identifying a first data type and a second data type used by the first software component;*

The rejection of claim 1 is incorporated; further see column 11, lines 56-67, "By combining the functionality in the data manipulation system 30 with the data of the data storage system 32 the design methodology behind the applet 26 can be shifted from the traditional focus on writing a generic program one time and using that program **with a variety of different data types**, to writing a program specifically **for particular data**. By shifting the design methodology from generic to specific, the data manipulation system 30 can be optimized for the data included in the data storage system 32. In addition, **the tying together of the data** in the data storage system 32 with the functionality in the data manipulation system 30 allows for an overall decrease in the size of the applet 26" – various data types are identified and grouped in order to save the data storage space.

- *retrieving data corresponding to the first data type from a service provider;*

See claim 3 rejection.

- *retrieving data corresponding to the second data type from the portable device; and*

All the data were stored in the portable device can be retrieved and reused.

- *displaying on the portable device a return content result including both the first data type and the second data type.*

See FIG. 2, item 38, it's for displaying both new data and the pre-loaded data.

As per claim 9, Lowery discloses:

- ***The method of claim 8, wherein the first data type comprises status/update information.***

The rejection of claim 8 is incorporated; see an example of Lowery's teaching; in column 2, lines 62-67, "For example, if a person is trying to buy a book from an online book seller, the online bookseller may provide the user with a customized capability for book browsing and the applet will comprise the requisite functionality for the custom book browser and the necessary data for the client to use with the book browser." Continue on column 13, lines 30-43, "the data and formatting information needed to represent the author, title and price ("author-title-price information") of all available books is transferred to the web browser executing on the PalmPilot. The web browser is likely a general purpose web browser because the web browser likely provides general capabilities to browse websites similar to the general purpose web browser discussed previously in association with the drink example. The web browser then processes and displays the transferred data on the PalmPilot. The user may then select a particular book and the bookseller may transfer availability, review and excerpt ("availability-review-excerpt") information to the PalmPilot which must be formatted by the web browser executing on the PalmPilot." – each the selection from the user provides status/update information.

As per claim 10, Lowery discloses:

- ***The method of claim 9, wherein the first data type comprises outdated status/update information, and wherein the second data type comprises current status/update information previously retrieved by the portable device.***

The rejection of claim 9 is incorporated; see claim 9 rejection; each time the user enters a command, the system will provide the user most up-to-date information.

As per claim 12, Lowery discloses:

 - *The method of claim 8, wherein the second data type comprises application files.*

The rejection of claim 8 is incorporated; see column 5, lines 51-52, "plug-ins often **comprise multiple files** *(application files)* which are installed in various locations on the client".

As per claim 13, Lowery discloses:

 - *The method of claim 8, wherein identifying the first data type and the second data type used by the software component is performed by the service provider.*

The rejection of claim 8 is incorporated; see claim 8 rejection, the data manipulation system *(service provider)* of the client is able to identify the first data type and the second data type used by the software component.

As per claim 14, Lowery discloses:

 - *The method of claim 8, wherein identifying the first data type and the second data type used by the software component is performed by the portable device.*

The rejection of claim 8 is incorporated; see claim 8 rejection, the client is (or can be) a portable device.

As per claim 16, Lowery discloses:

- ***The method of claim 8, further comprising: storing data corresponding to the second data type on the portable device.***

The rejection of claim 8 is incorporated; see Lowery's column 2, lines 17-19, "The plug-ins typically remain on the client following the termination of an interactive session and, thus, **consume the limited storage resources of handheld devices**."
-- storing data in the portable device; further see column 7, lines 56-60, "Foresight is required because the user must decide whether to **commit part of the limited storage of the PDA to storing the plug-ins** and whether the plug-ins will provide functionality sufficient to justify **devoting storage resources on the PDA** to the plug-ins."

As per claim 17, Lowery discloses:

- ***The method of claim 8, wherein software components comprise one of an application and a channel/plugin residing within an application.***

The rejection of claim 8 is incorporated; see Lowery's column 5, lines 19-28, "The external programs used to provide dynamic or complex web pages to clients have grown in ability and complexity and have resulted in the development of **"plug-ins". Plug-ins are typically external modules or add-on programs** run on the client which are used to provide various abilities, such as dynamic capabilities, to web pages. **Plug-ins are typically attached or added to the web browser on the client and stored on the client** so that the client may process and display the dynamic web page after the web page has been retrieved by the client."

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for
all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section
> 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the
> subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill
> in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

12.   Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over US
Patent No. 6,446,111 B1, by Lowery, hereinafter "Lowery", in view of U.S. Patent
No. 6,557,054 by Reisman, hereinafter "Reisman".

As per claim 15,

 *- The method of claim 8, wherein identifying the first data type and the second
data type comprises: providing a list of data available for the software
component; and selecting a subset of the list of data available for the software
component, wherein the first data type includes selected data and excludes un-
selected data.*

The rejection of claim 8 is incorporated; Lowery's disclosure teaches loading a
first software component using the portable device and exchange the information
to a second software component, but he does not disclose 'providing a list of data
available for the software component' explicitly, however, Reisman teaches it in an
analogous prior art; see Reisman's Fig. 1 and description in column 17, lines 50-
58, "User interface 28 in conjunction **with user interface** 34 contains code
**providing a menu selection enabling a user to activate the update fetch
operation** and then to provide integrated or seamless access to the combined data,
searching both the hard disk storage device 24 and the CD, using both sets of
indexes, so that the contents are viewable as a single collection, although an

additional independent **searching/viewing function for the updates could be provided**, if desired." And further see EXAM"PLE 2 on column 18, lines 52-65, "Open-ended access to supplemental information objects not described in the original information product can be obtained by providing in the original product means to fetch a directory of added features. This can be used, for example, by a news magazine publisher to provide special news features on an unplanned basis, or each weekly issue could be packaged **with a directory of additional features available.** The user first specifies a fetch of the new directory, or receives it along with **a fetched update they have specified from a user interface menu**, and then views the fetched additional features directory and initiates **a fetch of a selected additional item or items in a second information object transport operation**, using an information object manifest built from the new features directory." – providing a list of data available for the software component, and selecting a subset of the list of data available for the software component.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to supplement Lowery's disclosure of loading a first software component using the portable device and exchange the information to a second software component by providing a list of available data to the user taught by Reisman. The modification would be obvious because one of ordinary skill in the art would be motivated to enable a user to activate the update fetch operation (Reisman's column 17, lines 51-52).

Conclusion

13.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dowling et al., US Patent No. 6,522,875 B1, discloses a geographical web browser allows a user to navigate a network application such as the Word Wide Web by physically navigating in geographical coordinates. For example, a geographical web browser is implemented in a mobile unit such as a dashboard computer. The mobile unit includes one or more transducers such as antennas and is operative to receive locally broadcast signals or to operate a global positioning system (GPS) receiver. As the mobile unit navigates into different physical localities, different web pages are displayed by the geographical web browser.

Chakravorty et al., US 2004/0176080 A1 discloses a method and apparatus for authorized distribution of digital content amongst a plurality of mobile devices, under the mobile service provider's control. A mobile subscriber requests for services (digital content/applications) to a mobile service provider. The mobile service provider then sends a download descriptor to the mobile device through an SMS message. The download descriptor includes a link to the actual digital content hosted by a content provider. The user is then able to read, delete, forward the download descriptor to other mobile users or download the content on his/her mobile device at any point of time. The user also gets notified about any changes such as a new service or a version upgrade according to his/her preferences.

Elliott et al., US 2002/0156779 a1, discloses a spatial indexing intelligent agent that indexes information against a database of spatial language which is used in combination with a modified search engine that conducts searches using spatially relevant criteria and spatial analysis algorithms Alpha-numeric values from a mathematical system are used for identifying spatial locations, and can be arbitrary, geocentric, virtual, and galactic.

Leermakers, US Patent No. 6,629,284 B1 discloses a data processing system for receiving at least one of a user data file and an application program wirelessly transmitted from a central server. The data processing system comprises an RF transceiver for receiving in a forward channel blocks of data transmitted by the central server and transmitting to the central server in a reverse channel at least one of user input data and user commands. The blocks of data comprise the user data file and the application program. The data processing system further comprises a download controller for monitoring the received blocks of data and detecting therein corrupted data associated with a first block of data. The download controller, in response to the detection of the corrupted data, transmits to the central server via a wireline network a retransmission request capable of causing the central server to retransmit the first block of data.

14.   The following summarizes the status of the claims:
        35 USC § 112 rejection: Claims 1-10, 12-17
        35 USC § 102 rejection: Claims 1-10, 12-14, 16-17
        35 USC § 103 rejection: Claim 15

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Ching Chow whose telephone number is 571-272-3693. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is

571-273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the **TC2100 Group receptionist: 571-272-2100**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Chih-Ching Chow/
Examiner, Art Unit 2191
11/19/09

/Ted T. Vo/
Primary Examiner, Art Unit 2191